

HOUSE BILL 1563

C3

EMERGENCY BILL

0lr3625

By: **Delegate Dwyer**

Rules suspended

Introduced and read first time: March 21, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland's Health Insurance Freedom Act**

3 FOR the purpose of establishing that, notwithstanding certain provisions of law, a
4 person has the right to choose to participate in a private health insurance
5 system or private health insurance plan; establishing that, notwithstanding
6 certain provisions of law and subject to a certain exception, a person has the
7 right to pay for lawful medical services without interference and a penalty, tax,
8 fee, or fine of any type may not be imposed on a person who declines to contract
9 for health insurance coverage or to participate in a particular health insurance
10 system or plan; providing for the construction of this Act; making this Act an
11 emergency measure; and generally relating to health insurance coverage and
12 choosing to participate in health insurance systems or plans.

13 BY adding to

14 Article – Insurance

15 Section 15–134

16 Annotated Code of Maryland

17 (2006 Replacement Volume and 2009 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Insurance**

21 **15–134.**

22 **(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A**
23 **PERSON HAS THE RIGHT TO CHOOSE TO PARTICIPATE IN A PRIVATE HEALTH**
24 **INSURANCE SYSTEM OR A PRIVATE HEALTH INSURANCE PLAN.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AND**
2 **EXCEPT AS REQUIRED BY A COURT FOR A NAMED PARTY IN A LEGAL DISPUTE, A**
3 **PERSON HAS THE RIGHT TO PAY FOR LAWFUL MEDICAL SERVICES WITHOUT**
4 **INTERFERENCE AND A PENALTY, TAX, FEE, OR FINE OF ANY TYPE MAY NOT BE**
5 **IMPOSED ON A PERSON WHO DECLINES TO CONTRACT FOR HEALTH INSURANCE**
6 **COVERAGE OR TO PARTICIPATE IN A PARTICULAR HEALTH INSURANCE SYSTEM**
7 **OR PLAN.**

8 **(C) THIS SECTION MAY NOT BE CONSTRUED TO EXPAND, LIMIT, OR**
9 **OTHERWISE MODIFY A LEGAL DETERMINATION OF WHAT CONSTITUTES LAWFUL**
10 **MEDICAL SERVICES IN THE STATE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
12 measure, is necessary for the immediate preservation of the public health or safety,
13 has been passed by a ye and nay vote supported by three-fifths of all the members
14 elected to each of the two Houses of the General Assembly, and shall take effect from
15 the date it is enacted.